

III REMARKS

In the Action dated April 5, 2005, the examiner has required an election of species for claims 1–19 and 22–31 as follows:

- (a) only one specie of a GRAS flavor alcohol or a combination of GRAS flavor alcohols;
- (b) only one specie of a polyphenol or a combination of polyphenol compounds; and
- (c) only one specie of a GRAS flavor acid or a combination of GRAS flavor acids.

For species (a) Applicant has elected propylene glycol and/or benzyl alcohol, depending upon the recitation of GRAS flavor alcohol set forth in the claims. Support for the election of propylene glycol and/or benzyl alcohol is provided in the specification at page 4, lines 9–21 and page 6, lines 7–18.

For species (b) Applicant has elected tannins. Support for the election of tannins is provided in the specification at page 4, line 28, to page 5, line 10. With respect to the amendment to the polyphenol compound in claim 3, the inclusion of tannins is proper as tannins are defined as a gallic acid derivative. See specification at page 4, line 30 to page 5, line 1.

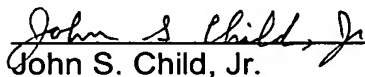
For species (c) Applicant has elected lactic acid. Support for the election of lactic acid is provided in the specification at page 5, lines 11–19.

IV CONCLUSION

It is believed that the above Amendment and Remarks constitute a complete response under 37 CFR § 1.111 and that all bases of rejection in the Examiner's Action have been adequately rebutted or overcome.

Respectfully submitted,

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